

U.S. DISTRICT COURT
EA.
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HONORABLE WILLIAM C. GRIESBACH
UNITED STATES DISTRICT JUDGE
125 SOUTH JEFFERSON STREET, ROOM 203
GREENBAY, WISCONSIN 54301-4541

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AUGUST 9th, 2010

RE: UNITED STATES v. WILLIAM N. MARTIN, JR. JN. NO. 04-cr-1034
CD

DEAR HON. WILLIAM C. GRIESBACH:

I AM WRITING YOU THIS LETTER TO HUMBLY ASK FOR YOUR HELP AND GUIDANCE IN THE FOLLOWING MATTER. SOMETIME AFTER MY ARREST ON 1-28-2004, THE AUSA, MR. ROACH PLACED A SEPARATION ORDER WITHIN THE BUREAU OF PRISONS BETWEEN MYSELF AND ALL MY CO-DEFENDANTS TO KEEP US LEGALLY SEPARATED DURING COURT PROCEEDINGS. THIS SEPARATION ORDER IS CURRENTLY STILL IN EFFECT. UNDER NORMAL CIRCUMSTANCES SUCH AN ORDER WOULD CAUSE MINIMAL PROBLEMS AND AS YOU KNOW IS KEPT IN PLACE FOR SECURITY REASONS. BUT DUE TO THE TYPE OF CASE WE HAVE AND THE LENGTH OF OUR SENTENCES, WE MUST REMAIN AT A MAX CUSTODY - UNITED STATES PENITENTIARY. AND DUE TO THE SEVERAL DEATHS AND ASSAULTS BY OTHER INMATES TOWARDS SEX OFFENDERS AND THE LAWSUITS STEMMING FROM THESE ASSAULTS, THE B.O.P. HAS DELEGATED ONE U.S.P. TO HOUSE ALL SEX OFFENDERS (U.S.P. TUCSON IN ARIZONA). BUT DUE TO THE SEPARATION ORDER STILL IN PLACE I AM UNABLE TO BE HOUSED AT USP TUCSON. I HAVE BEEN ASSAULTED NUMEROUS TIMES, BEEN STABBED, THREATENED AND NOW MUST BE KEPT IN PROTECTIVE CUSTODY - BUT UNFORTUNATELY I HAVE BEEN ASSAULTED MORE IN THE SPECIAL HOUSING UNITS THAN IN GENERAL POPULATION, BECAUSE THE BOP HAS LIMITED SPACE IN THE SHU. SO THEY MUST HOUSE ME WITH ANOTHER INMATE AND ONCE THIS INMATE LEARNS OF MY CASE, HE MUST ASSAULT ME, OR FACE ASSAULT HIMSELF BY OTHER INMATES. IN THE 6½ YEARS I HAVE BEEN INCARCERATED I HAVE HAD BUT ONE SMALL INFRACTION FOR REFUSING MEDICAL ATTENTION. I HAVE SPOKEN TO MY UNIT TEAM AND THEY HAVE ALL EXPLAINED THAT DUE TO THIS SEPARATION ORDER THEY CAN ONLY CONTINUE TO RE-SHIP ME TO ANOTHER U.S.P. KNOWING, AND ADMITTING THE SAME THING WILL HAPPEN THERE. MY UNIT TEAM HAS STATED MY ONLY HOPE WOULD BE TO CONTACT THE PROSECUTOR AND EXPLAIN TO HIM THE CIRCUMSTANCES AND ASK IF HE COULD REMOVE THIS SEPARATION ORDER. I HAVE DONE THIS, THROUGH MY FEDERAL DEFENDER, TOM PHILLIP, ALSO EXPLAINING THAT ALL OF MY CO-DEFENDANTS AND MYSELF WOULD GLADLY SIGN AFFIDAVITS STATING THAT WE ARE NOT UPSET AT ONE ANOTHER, THAT WE WILL NOT ATTACK ONE ANOTHER. THIS COUPLED WITH THE KNOWLEDGE AMONGST US, WE WOULD NEVER DO ANYTHING TOWARDS ONE ANOTHER TO DEPRAVE OURSELVES TO BE FORCED TO BE TRANSFERRED FROM USP TUCSON ONCE WE WERE THERE. THE PROSECUTOR, MR. ROACH, REPLIED TO ATTORNEY PHILLIP STATING, "HE (ROACH) DOESN'T FEEL ANY OF US ON THE CASE SHOULD HAVE CONTACT WITH ONE ANOTHER." NO EXPLANATION WAS CAREFULLY GIVEN AS TO WHY MR. ROACH SHOULD FEEL THIS WAY. I AM CERTAIN MR. ROACH IS UNAWARE OF THE STRAINS THAT THIS SEPARATION ORDER HAS PLACED ON MYSELF AND ON THE BOP.

YOUR HONOR, I WAS TOLD BY ATTORNEY PHILLIP THAT YOU CANNOT LEGALLY DO ANYTHING TO HAVE THE AUSA REMOVE THIS ORDER OF SEPARATION DUE TO "SEPARATION OF POWERS", THAT YOU HAVE NO CONTROL OVER THE U.S. ATTORNEYS OFFICE AND THE COURT CANT ORDER THE PROSECUTOR TO DISMISS THE SEPARATION ORDER. I DO NOT KNOW WHAT ELSE TO DO, OTHER THAN TO ASK YOU IF YOU COULD FIRST CONTACT MY CASE MANAGER, MR. LOK AND VERIFY WHAT I HAVE SAID REGARDING THE LIKELIHOOD OF ME CONTINUALLY BEING ASSAULTED AND KEPT FROM PROGRAMMING, WORKING TO PAY MY FINES, RESTITUTION. TO ASK MY CASE MANAGER IF HE THINKS I SHOULD GO TO USP TUCSON. THEN SECOND, IF HE COULD ASK MR. ROACH TO PLEASE CONSIDER REMOVING THIS SEPARATION ORDER AMONGST MYSELF AND MY CO-DEFENDANTS, SPECIFICALLY AGAINST MYSELF AND JOEL KLINE. IF HE IS STILL UNWILLING TO REMOVE THE SEPARATION ORDER COULD YOU ASK HIM IF THERE IS ANYTHING WE (MY CO-DEF. & MYSELF) COULD DO TO REMOVE ANY WORRIES HE MAY HAVE.

I AM DESPERETELY HOPING THAT YOU BEING A JUDGE AND THEREFORE BEING REASONABLE YOU WILL HELP ME AS NOBODY SHOULD BE CONTINUOUSLY HURT, ASSAULTED OR HARRASSED. I DO DESERVE TO BE IN PRISON, THIS I AGREE. AND MAYBE SOME WOULD FEEL THAT I DESERVED TO BE BEATEN AND STABBED, BUT 6½ YEARS OF THIS IS TO MUCH. I PRAY TO GOD EVERY DAY THAT I WILL NOT BE KILLED, THAT I WILL NOT BE FORCED INTO ANOTHER CELL WITH SOMEONE WHO WILL ATTACK ME, THAT MR. ROACH WILL HEAR MY PLEAS FOR HELP AND HOPEFULLY YOU WILL BE ABLE TO TALK WITH HIM, AND HE WILL REMOVE THE SEPARATION ORDER.

PLEASE RESPOND BACK IF POSSIBLE AND IF THERE IS ANYTHING THAT I CAN DO TO HELP THIS MATTER, OR IF ANYTHING NEEDS CLARIFICATION, PLEASE JUST ASK. THANK YOU FOR YOUR TIME.

Sincerely,
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WILLIAM N. MARTIN
07218-089